



Sandy City, Utah

10000 Centennial Parkway
Sandy, UT 84070
Phone: 801-568-7141

Meeting Minutes

City Council

Scott Cowdell, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Stephen P. Smith, At-large

Tuesday, November 29, 2016

5:15 PM

Council Chambers

5:15 Work Session

Agenda Planning Calendar Review

Stephen Smith reviewed the Agenda Planning Calendar.

Council Office Director's Report

No report given due to the fact that Michael Applegarth is out of town on vacation.

Mayor's Report

Mayor Dolan turned some time over to John Hiskey. John Hiskey announced that he would be retiring at the end of 2016.

Mayor Dolan announced that with Rick Smith also retiring at the end of 2016, he has appointed Mike Gladbach to be the new Public Works Director. Mayor Dolan then updated the Council on some developments that will be coming to the City.

CAO Report

Byron Jorgenson invited a few people to address the Council.

Chief Kevin Thacker stated that Sandy's SWAT Team has been working with Draper City to write an Interlocal Agreement. The Interlocal Agreement would allow Draper's officers, which is about 4, to join our SWAT team which will bring our team up to about 23.

Korban Lee mentioned the Executive Retreat to the Council and stated that there was a presenter there that did some training from a book entitled "Leadership and Self-Deception". After the retreat was over the Administration decided to buy a copy of the book for everyone that attended the retreat. He then stated that they also thought the Council would like a copy. He then gave each Council Member a copy of the book.

Information Items

1. [16-444](#) Trans-Jordan Landfill Presentation

Attachments: [Trans-Jordan update Nov 16-Sandy](#)

Rick Smith introduced Mark Hooyer who is the new Executive Director at Trans-Jordan Landfill. Mr. Hooyer presented a PowerPoint to the Council and addressed several subjects having to do with the landfill.

Department Heads will have an opportunity to discuss concerns and/or ask questions of the City Council.

- a. Public Utilities Director Shane Pace discussed water rights.
- b. Parks and Recreation Director Scott Earl discussed a survey that was done for the Splash Pad. He also updated the Council on the Boneville Shoreline Trail and the Cairns Plaza.
- c. Community Development Director Mike Coulam updated the Council on the latest with Tyson Holbrook, a Sandy resident that has an accessory apartment in his basement. He then noted that he would like to include an item on the agenda in the near future to discuss accessory apartments.
- d. Scott Bond updated the Council on several items. Some of the topics include the Sandy Amphitheater, the upcoming Sandy Christmas concerts, Cairns, health benefits, and the Hale Centre Theatre.

7:00 Council Meeting

Roll Call

Present: 7 - Council Member Scott Cowdell
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Linda Martinez Saville
Council Member Stephen P. Smith

Council Office Director Michael Applegarth

Also present:

Administration:
Mayor Tom Dolan
CAO Byron Jorgenson
Assistant CAO Scott Bond
City Attorney Rob Wall
Community Development Director Mike Coulam
Long Range Planning Manager Mike Wilcox
Administrative Services Director Brian Kelley

Parks & Recreation Director Scott Earl
Police Chief Kevin Thacker
Detective Brandon Moore
Public Utilities Director Shane Pace
Public Works Director Rick Smith
City Engineer Mike Gladbach

Opening Remarks / Prayer / Pledge of Allegiance

Chairman Stephen P. Smith welcomed all those in attendance.

Caleb Pond, Scout Troop 1189, offered the opening prayer.

Malcolm Lewis, Troop 1189, led the audience in the pledge.

Citizen Comments

Susan Edwards, Public Engagement Coordinator for Canyons School District, addressed the Council and provided an update regarding several accomplishments for the Canyons School District. She then expressed her sincere appreciation for the wonderful working relationship Canyons School District has with everyone at the City.

Ann Beus, 1440 Granada Drive, stated that she is the area leader for her neighborhood watch. She spoke concerning the traffic lights on 1300 East, specifically near Waters Lane (9000 South). Ms. Beus offered some suggestions to help improve the safety for the children as they go to and from school.

Special Recognition

Chief Thacker will recognize a Union Middle School Teacher

Chief Kevin Thacker and Detective Brandon Moore, investigating officer for the shooting that took place at Union Middle School, were present for this item. They recognized Erin Hemingway, a teacher at Union Middle School, for her act of bravery as she attended to the victim and detained the suspect until the police arrived on scene. Chief Thacker then presented a plaque to Erin in appreciation for her service to the Police Department and the citizens of Sandy.

7:05 Public Hearings

2. [16-447](#) Community Development Department recommending the City Council adopt Resolution #16-68C transferring funds between capital projects.

Attachments: [Resolution 16-68C Capital Project transfer](#)

Stephen Smith noted that this item is not a public hearing and that it was mistakenly listed under the Public Hearings heading.

Mike Wilcox presented this item to the Council.

A motion was made by Chris McCandless, seconded by Linda Martinez Saville, to approve Resolution #16-68C transferring funds between Capital Projects as noted between the Historic Sandy Drainage Improvements to 8680 South from State Street to 650 East. The motion carried by the following vote:

Yes: 7 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Linda Martinez Saville
Stephen P. Smith

3. [ZONE-9-16-5](#) Mr. Skylar Tolbert of Ivory Development is requesting to rezone approximately 3.11 acres from the CvC "Convenience Commercial District" to the PUD(4) "Planned Unit Development District" for the subject property, located at 2031 E. Pepperwood Drive, known as the Pepperwood View 2 Rezone - ZONE-9-16-5140

Attachments: [Council Request](#)
[Ordinance 16-43](#)
[EXHIBIT A](#)
[PC11-03-2016.pdf](#)
[Pepperwood View Staff Report](#)
[Vicinity Map](#)
[PH Notice-Pepperwood View 2 Rezone](#)
[Executed copy of Ordinance 16-43](#)

Mike Wilcox presented this item to the Council and stated that Ivory Development is the applicant. The Planning Commission recently held a public hearing for this item and forwarded a positive recommendation to the Council based on the two findings in the staff report and adding a third condition.

Skylar Tolbert, representing Ivory Development, was present to address the Council regarding the proposed project. A few questions were asked of the applicant.

Stephen Smith opened up the public hearing for this item.

Bethann Martin, 11128 South 2125 East, is opposed to the rezone because she feels that the homes that are being proposed are too big for the neighborhood.

Taylor Strickler, 2063 E. Pepperwood Drive, is opposed to the rezone because he feels that the neighborhood is already too congested.

Patricia Burn, representing Kurt Benson who lives at 10832 Gamble Cove, stated that Mr. Benson is not in favor of the rezone and the proposed development because the neighborhood is already too congested.

Mark Stringham, 2069 E. Pepperwood Drive, stated that he is not in favor of PUD zoning. He would like to see the property zoned R-1-10 which would keep traditional zoning in the neighborhood.

There being no further public comment, Stephen Smith closed the public hearing for this item.

Council discussion followed.

Linda Martinez Saville noted that she would be recusing herself from voting for this item.

A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Ordinance 16-43 amending and fixing the boundaries of a zone district of the Sandy City Zoning Ordinance, rezoning approximately 3.11 acres from the CvC "Convenience Commercial District" to the PUD(4) "Planned Unit Development District" located at approximately 2031 E. Pepperwood Drive with the following conditions:

That access from the new development be from Highland Drive only and that there be a 25 foot setback requirement on the properties located to the east and to the north of this property from any buildings.

Maren Barker stated that she believes that this is an illegal motion based on conditional zoning laws. Chris McCandless asked for clarification from City Attorney Rob Wall. Rob Wall stated that the motion can be made, seconded, and approved. However, it would not be enforceable.

Chris McCandless amended his motion to change "conditions" to "recommendations" to the Planning Commission.

The motion failed by the following vote:

- Yes:** 3 - Maren Barker
Chris McCandless
Steve Fairbanks
- No:** 3 - Scott Cowdell
Kristin Coleman-Nicholl
Stephen P. Smith

Recused: 1 - Linda Martinez Saville

A motion was made by Scott Cowdell, seconded by Kristin Coleman-Nicholl, to deny the application to rezone approximately 3.11 acres from the CvC "Convenience Commercial District" to the PUD(4) "Planned Unit Development District" for the property located at approximately 2031 E. Pepperwood Drive. The motion failed by the following vote:

- Yes:** 2 - Scott Cowdell
Kristin Coleman-Nicholl
- No:** 4 - Maren Barker
Chris McCandless
Steve Fairbanks
Stephen P. Smith

Recused: 1 - Linda Martinez Saville

A motion was made by Stephen Smith, seconded by Chris McCandless, to table this application until December 20th.

Discussion on the motion followed. Following the discussion on the motion, Stephen Smith withdrew his motion to table.

A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Ordinance 16-43 amending and fixing the boundaries of a zone district of approximately 3.11 acres from the CvC "Convenience Commercial District" to the

PUD(4) "Planned Unit Development District" for the property located at approximately 2031 E. Pepperwood Drive, with the strong recommendation to the Planning Commission that site plan include access to the property off of 2000 East (Highland Drive) and that the setbacks on the east and the north be a minimum of 25 feet. The motion failed by the following vote:

Yes: 3 - Chris McCandless
Steve Fairbanks
Stephen P. Smith

No: 3 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl

Recused: 1 - Linda Martinez Saville

A motion was made by Maren Barker, seconded by Steve Fairbanks, to adopt Ordinance 16-43 amending and fixing the boundaries of a zone district of Sandy City rezoning approximately 3.11 acres from the CvC "Convenience Commercial District" to the PUD(4) "Planned Unit Development District" for the property located at approximately 2031 E. Pepperwood Drive with the strong recommendation to the Planning Commission that the perimeter setbacks on the east and the north be 25 feet and the others consistent with an R-1-10 zone. The motion carried by the following vote:

Yes: 4 - Maren Barker
Chris McCandless
Steve Fairbanks
Stephen P. Smith

No: 2 - Scott Cowdell
Kristin Coleman-Nicholl

Recused: 1 - Linda Martinez Saville

4. [ZONE-10-16-5143](#) Mr. William Cook is requesting to rezone approximately 1.1 acres from the R-1-40A "Single Family Residential District" to the R-1-20A "Single Family Residential District" for the subject property, located at 2848 E. Mount Jordan Road, known as the Cook Rezone - ZONE-10-16-5143.

Attachments: [Council Request](#)
[Ordinance 16-44](#)
[EXHIBIT A](#)
[PC11-03-2016.pdf](#)
[Cook Staff Report](#)
[Vicinity Map](#)
[PH Notice-Cook Rezone](#)
[Executed copy of Ordinance 16-44](#)

Mike Wilcox presented this item to the Council and stated that William Cook is the applicant. The Planning Commission recently held a public hearing for this item and forwarded a positive recommendation to the Council based on the findings in the staff report.

Stephen Smith opened the public hearing for this item.

Steve Van Maren, 11039 Lexington Circle, stated that he feels that the better use of this property is to eventually attach it to Dimple Dell Park because Mount Jordan Road is a better border than a residence.

There being no further public comment, Stephen Smith closed the public hearing for this item.

A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl, to adopt Ordinance #16-44 rezoning approximately 1.1 acres from the R-1-40A "Single Family Residential District" to the R-1-20A "Single Family Residential District" located at approximately 2848 E. Mount Jordan Road. The motion carried by the following vote:

Yes: 7 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Linda Martinez Saville
Stephen P. Smith

Council Items

5. [TMP-0001](#) Community Development Department suggested changes to the Land Use Development Code regarding new Alcoholic Beverage Licenses.

Attachments: [Alcohol changes to Council](#)

This item was held in the Work Session. Brian McCuiston and Lesley Casaril spoke briefly about the proposed changes to the Land Use Development Code. It was then decided that this item will come back on December 20th for further discussion.

6. [16-446](#) Community Development is presenting the City Council with information to consider the expansion of the members appointed to the CDBG Citizen's Committee.

Attachments: [Contact List Only - Nov 2016](#)
[Resolution 88-76C](#)
[Ordinance 84-53](#)
[Ordinance 84-62](#)
[Ordinance 98-44](#)
[Ordinance 06-10](#)
[Fred Repman Resume](#)
[Angela Price Resume CDBG Committee](#)

Mike Wilcox presented this item to the Council. The Council then discussed the options given by staff.

A motion was made by Scott Cowdell, seconded by Chris McCandless, to expand

the CDBG Citizen's Committee membership from 9 to 11 and to increase the area from which qualified candidates can be pulled from. This will increase Mayor appointments to 4 and Council appointments to 7. The motion carried by the following vote:

- Yes:** 4 - Scott Cowdell
Chris McCandless
Steve Fairbanks
Stephen P. Smith
- No:** 3 - Maren Barker
Kristin Coleman-Nicholl
Linda Martinez Saville

7. [16-451](#) Council Member McCandless updating the City Council on the following items:

1. Review of the UCC system
2. Jordan River Commission update
3. HCT update from the Executive Cmte.
4. Utah Land Use Regulation Desktop Book
5. McCandless items of request

Chris McCandless discussed the above noted items with the Council.

Completion of reports and other items not held in the Work Session.

Adjournment

The meeting adjourned at approximately 9:20 p.m. by Scott Cowdell. The next scheduled meeting of the City Council is Tuesday, December 6, 2016 at 7:00 p.m.

Stephen P. Smith, Chair
Sandy City Council

Verene Froisland
Meeting Clerk